

### **REMARKS**

The Office Action mailed April 22, 2005 has been carefully reviewed and, in view of the above amendments and following remarks, reconsideration and allowance of the application are respectfully requested.

#### **I. Summary of Claims**

Claims 1-8, 10-12, 14-28, and 30-41 are currently pending in the application, with claims 1, 12, 21, 32, and 41 being independent claims. Claims 9, 13, and 29 are cancelled; claim 41 is added; and claims 8, 11, 12, 14, 21, 27, 28, 31, 36, 37, and 40 are amended, in accordance with the above amendments.

#### **II. Objections to Drawings and Specification**

The Office Action objects to the drawings for including a reference numeral (i.e., 34') not mentioned in the description. Paragraph 72 is amended above to recite that "various columns 34' of midsole 31' extend between the adjacent lobes 42a'-42g', as depicted in Figures 9 and 10." The Applicants respectfully submit that no new matter is introduced by this amendment and request that the objection to the drawings be withdrawn.

The Office Action also objects to the specification on various grounds. Paragraphs 11, 59, 91, 95, and 97 are amended to overcome the objections. The Applicants respectfully submit that no new matter is introduced by these amendments and request that the objections to the specification be withdrawn.

#### **III. §112 Rejections**

The Office Action rejects claims 8, 11, 14, 31, 36, 37, and 40 under §112. Each of claims 8, 11, 14, 31, 36, 37, and 40 are amended to overcome these rejections. The Applicants respectfully request that these rejections be withdrawn.

#### **IV. Discussion of Claims 1-8, 10, and 11**

Independent claim 1 recites a method of manufacturing a fluid-filled chamber for an article of footwear. The method includes positioning a parison between a first portion and a corresponding second portion of a mold. The parison is bent with contours of the mold as the

first portion and the second portion translate toward each other. The contours of the mold are positioned separate from a cavity within the mold, and the cavity has a shape of the chamber. Opposite sides of the parison are shaped to form the chamber within the cavity, and opposite sides of the parison are bonded together.

Independent claim 1 is rejected as being obvious over a combination of U.S. Patent Number 6,457,262 to Swigart and U.S. Patent Number 4,829,682 to Gasbarro. According to the Office Action, Swigart discloses a bladder that may be manufactured through a blow molding process. The Office Action also indicates that Gasbarro discloses wherein a parison is positioned between portions of a mold, and the parison is bent to conform with contours of the mold.

Independent claim 1 recites that the parison is bent with contours of the mold, and the contours of the mold are positioned separate from a cavity within the mold. Gasbarro teaches a mold with contours that are within the cavity that forms the bladder. Gasbarro does not teach, however, contours that (1) bends the parison and (2) are positioned separate from the cavity within the mold that forms the bladder. Accordingly, independent claim 1 recites a configuration that is not taught by Swigart, Gasbarro, or the combination of Swigart and Gasbarro.

Based upon the above discussion, the Applicants respectfully submit that independent claim 1 is allowable over the combination of Swigart and Gasbarro. In addition, claims 2-8, 10, and 11 should be allowable for at least the same reasons.

#### **V. Discussion of Claims 12, 14-28, 30-31, and 41**

The Office Action indicates that claims 9, 13, and 29 would be allowable if rewritten in independent claim format. Independent claim 41 substantially includes the recitations of independent claim 1 and claim 9. Independent claim 12 substantially includes the recitation of claim 13. Similarly, independent claim 21 substantially includes the recitation of claim 29. The Applicants respectfully submit that independent claims 12, 21, and 41 are allowable, and that claims 14-20, 22-28, 30-31 are allowable for at least the same reasons. Accordingly, each of claims 12, 14-28, 30-31, and 41 are allowable.

#### **VI. Discussion of Claims 32-40**

The Office Action indicates that claims 32-35, 38, and 39 are allowed. The Office Action rejects claims 36, 37, and 40 under §112. As discussed above, each of claims 36, 37, and 40 are

amended to overcome these rejections. The Applicants respectfully submit, therefore, that each of claims 32-40 are allowable.

#### **VII. Inquiry Under 35 U.S.C. §102(f)**

Inventorship of the above-captioned application is being corrected to include John F. Swigart and Eric S. Schindler. Filed with this Amendment are a Request To Correct Inventorship, a Consent Of Assignee To Add Inventors, a Statement Of John F. Swigart Under 37 C.F.R. §1.48(a), a Statement Of Eric S. Schindler Under 37 C.F.R. §1.48(a), a Declaration executed by all inventors, and a Fee Transmittal authorizing payment of the fee under 37 C.F.R. §1.17(i). The Applicants respectfully submit that this satisfies the Inquiry Under 35 U.S.C. §102(f).

#### **VIII. Conclusion**

In view of the foregoing, the Applicants respectfully submit that all claims are in a condition for allowance. The Applicants respectfully request, therefore, that the rejections be withdrawn and that this application now be allowed.

This Amendment is being timely filed, with a two month petition for extension of time, by facsimile transmission on August 23, 2005. Should additional fees or an extension of time be deemed necessary for consideration of this Amendment, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

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